Title 159 - STATE FIRE MARSHAL

Chapter 6 - GENERAL OPERATING REQUIREMENTS FOR EXISTING UST SYSTEMS

001. SPILL AND OVERFILL CONTROL.

001.01. Owners and operators must ensure that releases due to spilling or overfilling do not occur. The owner and operator must ensure that the volume available in the tank is greater than the volume of product to be transferred to the tank before the transfer is made and that the transfer operation is monitored constantly to prevent overfilling and spilling.

[*Note:* The transfer procedures described in National Fire Protection Association Publication 385 may be used to comply with §001.01 above. Further guidance on spill and overfill prevention appears in American Petroleum Institute Publication 1621, "Recommended Practice for Bulk Liquid Stock Control at Retail Outlets," and National Fire Protection Association Standard 30, "Flammable and Combustible Liquids Code."]

001.02. The owner and operator must report, investigate, and clean up any spills and overfills in accordance with §004 in Chapter 8.

002. OPERATION AND MAINTENANCE OF CATHODIC PROTECTION.

All owners and operators of steel UST systems with corrosion protection must comply with the following requirements to ensure that releases due to corrosion are prevented for as long as the UST system is used to store regulated substances:

002.01. All corrosion protection systems must be operated and maintained to continuously provide corrosion protection to the metal components of that portion of the tank and piping that routinely contain regulated substances and are in contact with the ground.

002.02. All UST systems equipped with cathodic protection systems must be inspected for proper operation by a qualified cathodic protection tester in accordance with the following requirements:

002.02A. Frequency. All cathodic protection systems must be tested within 6 months of installation; and

002.02A1. Impressed Current cathodic protection systems shall be tested annually thereafter; and

002.02A2. Galvanic or Sacrificial Anode cathodic protection systems shall be tested at least every three years thereafter.

002.02B. Inspection criteria. The criteria that are used to determined that cathodic protection is adequate as required by this section must be in accordance with a code of practice developed by a nationally recognized association.

[*Note*: National Association of Corrosion Engineers Standard RP-0285, "Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems," may be used to comply with §002.02B above.]

002.02C. Cathodic Protection Tester Qualifications. Cathodic protection testing shall be performed by those testers who are certified pursuant to §003 of Chapter 3.

002.03. UST systems with impressed current cathodic protection systems must also be inspected every 60 days to ensure the equipment is running properly.

002.04. For UST systems using cathodic protection, records of the operation of the cathodic protection must be maintained (in accordance with §005 of this Chapter) to demonstrate compliance with the performance standards in this section. These records must provide the following:

002.04A. The results of the last three inspections required in §002.03 above; and

002.04B. The results of testing from the last two inspections required in §002.02 of this Chapter.

003. COMPATIBILITY.

Owners and operators must use an UST system made of or lined with materials that are compatible with the substance stored in the UST system.

[*Note*: Owners and operators storing alcohol blends may use the following codes to comply with the requirements of this section:

American Petroleum Institute Publication 1626, "Storing and Handling Ethanol and Gasoline-Ethanol Blends at Distribution Terminals and Service Stations"; and

American Petroleum Institute Publication 1627, "Storage and Handling of Gasoline-Methanol/Cosolvent Blends at Distribution Terminals and Service Stations."]

004. REPAIRS ALLOWED.

Owners and operators of UST systems must ensure that repairs will prevent releases due to structural failure or corrosion as long as the UST system is used to store regulated substances. The repairs must meet the following requirements:

004.01. Repairs to UST systems must be properly conducted in accordance with a code of practice developed by a nationally recognized association or an independent testing laboratory.

[*Note*: The following codes and standards may be used to comply with §004.01 of this chapter: National Fire Protection Association Standard 30, "Flammable and Combustible Liquids Code"; American Petroleum Institute Publication 2200, ""Repairing Crude Oil, Liquified Petroleum Gas, and Product Pipelines"; American Petroleum Institute Publication 1631, "Recommended Practice for the Interior Lining of Existing Steel Underground Storage Tanks"; and National Leak Prevention Association Standard 631, "Spill Prevention, Minimum 10 Year Life Extension of Existing Steel Underground Tanks by Lining Without the Addition of Cathodic Protection."]

004.02. Repairs to fiberglass-reinforced plastic tanks may be made by the manufacturer's authorized representatives or in accordance with a code of practice developed by a nationally recognized association or an independent testing laboratory.

004.03. Metal pipe sections and fittings that have released product as a result of corrosion or other damage must be replaced. Fiberglass pipes and fittings may be repaired in accordance with the manufacturer's specifications.

004.04. Repaired tanks and piping must be tightness tested in accordance with §004.03 and §005.02 in Chapter 7 within 30 days following the date of the completion of the repair except as provided in

subsections §004.04A and §004.04B below:

004.04A. The repaired portion of the UST system is monitored monthly for releases in accordance with a method specified in §004.04 through §004.08 in Chapter 7; or

004.04B. Another test method is used that is determined by the State Fire Marshal to be no less protective of human health and the environment than those listed above.

004.04C. Another test method is used that is determined by the State Fire Marshal to be no less protective of human health and the environment than those listed above.

004.05. Within 6 months following the repair of any cathodically protected UST system, the cathodic protection system must be tested in accordance with §§002.02 and 002.03 in this chapter to ensure that it is operating properly.

004.06. UST system owners and operators must maintain records of each repair for the remaining operating life of the UST system that demonstrate compliance with the requirements of this section.

005. TANK GAUGING.

A monitoring system based on tank gauging procedures shall be required for all tanks. Tank gauging procedures are set out in §004.01 and §004.02 of Chapter 7 and shall be implemented until an approved release detection method is in place.

006. REPORTING AND RECORDKEEPING.

Owners and operators of UST systems must cooperate fully with inspections, monitoring and testing conducted by the State Fire Marshal and Department of Environmental Quality as well as requests for document submission, testing, and monitoring by the owner or operator.

006.01. Reporting. Owners and operators must submit the following information to the State Fire Marshal:

006.01A. Registration for all UST systems (see Chapter 2);

006.01B. Reports of all releases including suspected releases (see Chapter 8), spills and overfills (see §001 of this chapter). Reported or suspected releases of regulated substances from any tank must be reported to the State Fire Marshal and the Department of Environmental Quality within 24 hours by the owner

or the person in charge of the tank. The State Fire Marshal and the Department of Environment Quality can be contacted at their offices during normal working hours, and at (402) 471-4545 after hours.

006.01C. Initial abatement measures taken in response to a release.

006.02. Record keeping. Owners and operators must maintain the following information:

006.02A. Inventory control or tank gauging records;

006.02B. Documentation of operation of corrosion protection equipment (§002 above);

006.02C. Documentation of UST system repairs (§004.06 above);

006.02D. Recent compliance with release detection requirements in §006 of Chapter 7; and

006.02E. Results of the site investigation conducted at permanent closure (§005 of Chapter 10).

006.03. Availability and Maintenance of Records. Owners and operators must keep the records required either:

006.03A. At the UST site and immediately available for inspection by the State Fire Marshal; or

006.03B. At a readily available alternative site approved by the State Fire Marshal.

[*Note*: In the case of permanent closure records required under §005 of Chapter 10, owners and operators are also provided with the additional alternative of mailing closure records to the State Fire Marshal if they cannot be kept at the site or an alternative site as indicated above.]

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Nebraska State Fire Marshal